

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

VICTOR L. TAYLOR, SR.,)
Plaintiff,)
v.)
UNITED STATES DEPT. OF)
JUSTICE, et al.,)
Defendants.)
)

No. 2:11-cv-02745-JPM-dkv

**ORDER ADOPTING THE REPORT AND RECOMMENDATION; ORDER OF SUA SPONTE
DISMISSAL**

Before the Court is the Magistrate Judge's "Report and Recommendation for Sua Sponte Dismissal" (the "Report and Recommendation"), filed on September 6, 2013. (ECF No. 17.) On May 28, 2013, the Magistrate Judge entered an Order suggesting that Plaintiff had died, and requiring a proper party to be substituted within ninety days, or by August 26, 2013. (ECF No. 14.) No party was timely substituted. In the Report and Recommendation, the Magistrate Judge recommends "that this case be dismissed pursuant to Rule 41(b) for failure to prosecute or comply with a court order." (ECF No. 17 at 1.)

Pursuant to Federal Rule of Civil Procedure 72(b)(2), "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). No objections to

the Report and Recommendation have been filed, and the time for filing objections expired on September 20, 2013. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes. On clear-error review of the Magistrate Judge's Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation (ECF No. 17) in its entirety.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), Plaintiff's Complaint (ECF No. 1), filed August 29, 2011, is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED, this 10th day of October, 2013.

/s/ Jon P. McCalla
JON P. McCALLA
U.S. DISTRICT COURT JUDGE